

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI

In re: JEFFREY D. MAPES, Debtor.	Case No. 21-40237-169 Chapter 7 Hon. Bonnie L. Clair
In re: DEBORAH A. HENDERSON, Debtor.	Case No. 21-40040-659 Chapter 7 Hon. Kathy A. Surratt-States
In re: HAROLD GUIDO, Debtor.	Case No. 20-45516-169 Chapter 7 Hon. Bonnie L. Clair
In re: LACHONDA R. VALENTINE, Debtor.	Case No. 21-41515-169 Chapter 7 Hon. Bonnie L. Clair
In re: ANTWAIN J. WATSON, Debtor.	Case No. 21-41505-169 Chapter 7 Hon. Bonnie L. Clair
In re: ANDRE S. GAITER, Debtor.	Case No. 21-40761-659 Chapter 7 Hon. Kathy A. Surratt-States
DANIEL J. CASAMATTA, Acting United States Trustee, Movant v. WILLIAM H. RIDINGS, JR., Respondent.	

JOINT MOTION FOR SCHEDULING ORDERS

Movant, Daniel J. Casamatta, the Acting United States Trustee (“United States Trustee”), and attorney William H. Ridings, Jr. (“Ridings” or “Counsel” and, together with the United States Trustee, the “Parties”), each by and through undersigned counsel, submit the following joint motion seeking scheduling orders relating to the motions filed by the United States Trustee against Ridings in each of the above-captioned chapter 7 cases (each the “[*debtor name*] Motion” and, collectively, the “United States Trustee Motions”).¹

I. FACTS

1. On or about July 23, 2021, the Parties filed joint motions in the Henderson, Mapes and Guido cases seeking scheduling orders (the “Prior Scheduling Motions”). In the Prior Scheduling Motions, Ridings requested, and the United States Trustee expressed that it did not oppose, a joint hearing on the United States Trustee motions in each of those cases.

¹ The United States Trustee Motions consist of:

1. the “United States Trustee’s Motion for Examination of the Fees of Debtor’s Attorney Pursuant to Local Rule 2093 (C)(3) of the United States Bankruptcy Court for the Eastern District of Missouri, 11 U.S.C. § 329, and Federal Rule of Bankruptcy Procedure 2017,” filed in the Mapes case as docket entry (“DE”) 17;
2. the “United States Trustee’s Motion for Examination of Debtor’s Attorney’s Fees and Fee Agreements With Debtor Pursuant to Local Rule 2093 of the United States Bankruptcy Court for the Eastern District of Missouri, 11 U.S.C. § 329, and Federal Rule of Bankruptcy Procedure 2017,” filed in the Henderson case as DE 14;
3. the “United States Trustee’s Motion for Examination of Debtor’s Attorney’s Fees and Fee Agreements with Debtor Pursuant to Local Rule 2093, 11 U.S.C. § 329(b), and Federal Rule of Bankruptcy Procedure 2017,” filed in the Guido case at DE 40;
4. the “United States Trustee’s Motion for Examination of the Fees of Debtor’s Attorney Pursuant to Local Rule 2093 (C)(3), 11 U.S.C. § 329, and Federal Rule of Bankruptcy Procedure 2017,” filed in the Valentine case as DE 15;
5. the “United States Trustee’s Motion for Examination of the Fees of Debtor’s Attorney Pursuant to Local Rule 2093 (C)(3), 11 U.S.C. § 329, and Federal Rule of Bankruptcy Procedure 2017,” filed in the Watson case as DE 21; and,
6. the “United States Trustee’s Motion for Examination of Debtor’s Attorney’s Fees and Fee Agreements with Debtor Pursuant to Local Rule 2093, 11 U.S.C. § 329(b), and Federal Rule of Bankruptcy Procedure 2017,” filed in the Gaiter case at DE 16.

2. In hearings held in the Henderson case before Chief Judge Surratt-States on July 26, 2021 and in the Mapes and Guido cases before Judge Clair on July 27, 2021, the Parties received guidance from the Court that 1) one or more separate motions would be required to allow a joint evidentiary hearing in these matters pursuant to Fed. R. Civ. P. 7042; and 2) additional scheduling items would be need to be included in any scheduling orders entered in the respective cases. The Parties have not yet submitted and the Court has not yet entered scheduling orders in the Mapes, Henderson and Guido cases.

3. Subsequent to those hearings, the United States Trustee filed the Watson Motion, the Valentine Motion, and the Gaiter Motion.

4. Based on the guidance provided by the Court, Ridings has filed a separate motion in each case seeking a joint hearing on the United States Trustee Motions, and the United States Trustee does not object to the relief sought therein.

5. One of the elements of the Prior Scheduling Motion was that Ridings submit to the United States Trustee by August 11, 2021 a summary of his intended proof of reasonableness in the Mapes, Henderson and Guido cases. Ridings timely complied with this commitment despite the lack of a formal scheduling order, and voluntarily included information about the Watson, Valentine, and Gaiter fees, as well. The Parties have continued to cooperate in the process and deadlines contemplated in the Prior Scheduling Motion in all six cases despite the lack of formal scheduling orders.

6. The Parties now seek the entry of formal scheduling orders in each of the six, above-captioned cases, incorporating the following process and deadlines:

- a. General Discovery. Any discovery shall be completed by **September 1, 2021**.

b. Joint Pretrial Statement. By **Wednesday, September 22, 2021**, the parties shall file a joint pre-trial statement including the following information:

1. A summary of stipulated facts agreed to be relevant to these proceedings;
2. A separate summary, if needed, of facts asserted by one or the other of the parties as to which a stipulation has not been reached;
3. A concise summary from each party of the arguments and legal theories predicated their positions;
4. A list of exhibits as to which admission is stipulated;
5. If needed, a separate list of exhibits proposed to be admitted by one or the other party as to which admission is not stipulated;
6. A list of witnesses that each party may call with a concise summary of the nature and relevance of their anticipated testimony; and,
7. If applicable, any agreements between the parties as to the scope of any ruling that the Court may render in these cases.

c. Interim Status Conference. The parties request that one or both of the judges convene an interim status conference on or after **Wednesday, September 22, 2021** to discuss any anticipated evidentiary or other issues that would assist in efficiently preparing these matters for trial.

d. Simultaneous Pre-Trial Briefs. By **Friday, October 1, 2021**, each party may, as they deem necessary, file a supplemental brief of points and authorities on the issues to be determined by the Court.

- e. Standard Pre-Trial Procedures. The parties agree that standard pre-trial procedures under Local Rule 7016(A) concerning the exchange and delivery of exhibits shall apply.
- f. Final Pre-Trial Conference. The parties request that one or both of the judges convene a final, pre-trial conference approximately **10 days prior to the scheduled evidentiary hearing**.
- g. Trial. The parties are prepared to try these matters in an in-person evidentiary hearing that the parties estimate can be completed in one day, on or after **October 18, 2021**, with the following excepted dates as to which one or more of the attorneys or parties is unavailable:
 - a. October 11-15, 2021;
 - b. October 20-21, 2021; and
 - c. November 5, 2021

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RESPECTFULLY SUBMITTED this 17th day of September, 2021.

FOR RIDINGS:

/s/ William H. Ridings, Jr.

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